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7 Attorneys for  
THOMAS A. SEAMAN, RECEIVER

8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

10 SECURITIES AND EXCHANGE  
COMMISSION,

11 Plaintiff,

12 v.

13 LAMBERT VANDER TUIG (a/k/a/  
14 LAMBERT VANDER TAG a/k/a  
DEAN I. VANDER TAG), THE  
15 CAROLINA DEVELOPMENT  
COMPANY, INC. (a/k/a THE  
16 CAROLINA COMPANY AT  
PINEHURST, INC.), AND  
17 JONATHAN CARMAN,

18 Defendants.  
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Case No. SACV06-172AHS(MLGx)

Complaint Filed: February 16, 2006

**[PROPOSED] ORDER  
APPROVING SECOND INTERIM  
FEE APPLICATION OF NELSON  
MULLINS RILEY &  
SCARBOROUGH, LLP**

Hearing:

Date: August 4, 2008

Time: 10:00 a.m.

Place: Courtroom 10A  
411 W. Fourth Street  
Santa Ana, California

1                   The First Interim Fee Application of Nelson Mullins Riley &  
2 Scarborough, LLP ("Nelson Mullins") for the approval of payment of fees and  
3 reimbursement for costs in the below-listed amounts, came on for hearing this 4th  
4 day of August, 2008, in Courtroom 10A of the above entitled Court, the Honorable  
5 Alicemarie H. Stotler, judge presiding. Appearing by and through appearances  
6 made as reflected on the record.

7  
8                   Compensation for fees and reimbursement for costs were requested in  
9 the amount of Six Thousand One Hundred Forty Five and 66/100 Dollars  
10 (\$6,145.66).

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12                   Upon the reading of the Application and related exhibits, it appears to  
13 the Court that the amounts sought in the Application is reasonable for the  
14 professional services performed by Nelson Mullins for the Receiver and its counsel.

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16                   **THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:**

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18                   Nelson Mullins is entitled to compensation for services provided in the  
19 amount of \_\_\_\_\_.

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21 Dated:

\_\_\_\_\_  
JUDGE ALICEMARIE H. STOTLER

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PROOF OF SERVICE

I, the undersigned, declare that I am, and was at the time of service of the papers herein referred to, employed in the County of Orange; over the age of eighteen years and not a party to the within entitled action or proceeding. My business address is 650 Town Center Drive, 4th Floor, Costa Mesa, California 92626-1993.

On **July 7, 2008**, I served the following document described as **[PROPOSED] ORDER APPROVING SECOND INTERIM FEE APPLICATION OF NELSON MULLINS RILEY & SCARBOROUGH, LLP** on the interested party(ies) in this action by placing  true copies/ originals thereof enclosed in sealed envelopes and/or packages addressed as follows:

**SEE ATTACHED SERVICE LIST**

- BY MAIL:** I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Costa Mesa, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- BY FACSIMILE:** I served said document(s) to be transmitted by facsimile pursuant to Rule 2008 of the California Rules of Court. The telephone number of the sending facsimile machine was 714-513-5130. The name(s) and facsimile machine telephone number(s) of the person(s) served are set forth in the service list. The sending facsimile machine (or the machine used to forward the facsimile) issued a transmission report confirming that the transmission was complete and without error. Pursuant to Rule 2.306(g)(4), a copy of that report is attached to this declaration.
- BY OVERNIGHT DELIVERY:** I served such envelope or package to be delivered on the same day to an authorized courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier.
- FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on **July 7, 2008**, at Costa Mesa, California.

/s/ Margaret N. Manns  
Margaret N. Manns

**SERVICE LIST**

**SACV06-172AHS(MLGx)**

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